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FISCAL IMPACT REPORT

SPONSOR <u>Senate Conservation Committee</u>	LAST UPDATED <u>2/24/2025</u>
	ORIGINAL DATE <u>1/31/2025</u>
SHORT TITLE <u>Livestock Info During Epidemic</u>	BILL NUMBER <u>CS/Senate Bill 56/SCONCS</u>
	ANALYST <u>Hanika-Ortiz</u>

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
NMLB	No Fiscal Impact	\$50.0 to \$200.0	No fiscal impact	\$50.0 to \$200.0	Nonrecurring	General Fund
NMLB	No fiscal impact	\$2.6 to \$11.2	\$2.6 to \$11.2	\$5.2 to \$22.4	Recurring	General Fund
Total		\$52.6 to \$211.2	\$2.6 to \$11.2	\$55.2 to \$222.4		

Parentheses () indicate expenditure decreases.
*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From
 New Mexico Livestock Board (NMLB)
 New Mexico Attorney General (NMAG) -
 New Mexico Department of Agriculture (NMDA)
 Department of Health (DOH)

SUMMARY

Synopsis of SCONC Substitute for House Bill 56

The Senate Conservation Committee Substitute for Senate Bill 56 (SB56) enacts a new section of the Livestock Code to allow the New Mexico Livestock Board (NMLB) to restrict access to details about a livestock operation when cooperation is needed to contain a disease outbreak.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

NMLB noted it would need to buy and maintain a data management system with safeguards when obtaining and protecting specific details about a livestock operation. The estimated cost is \$50 thousand to \$200 thousand for the purchase, and \$1,000 to \$8,000 per year for maintenance. If labor is needed to redact specific details about a livestock operation during a disease outbreak from a public records request, those costs are estimated to be about \$1,600 to \$3,200 annually.

The December 2024 cash balance report produced by LFC shows a balance of \$5.5 million in the Livestock Board general fund; the board might need a budget adjustment request to draw down the amount needed to fund additional salaries and expenses related to this bill.

SIGNIFICANT ISSUES

The Department of Health notes that, during the highly pathogenic avian influenza outbreak in New Mexico dairy cattle in 2024, NMLB was unable to redact identifying information, including location and ownership of affected farms when responding to public records requests. This disincentivized testing and reporting of this disease. In the event of a zoonotic disease detection or outbreak, release of identifying information is necessary to respond to the zoonotic disease. The substitute addresses this in Section 1(C)2 by requiring the release of information to health agencies when responding to livestock disease or conditions of public health significance.

The substitute serves two purposes: 1) when responding to a disease outbreak, NMLB could restrict access to details about a livestock operation, if it encourages the producer to cooperate; and 2) those restricted details may include a producer's emergency response plans containing "biosecurity details" and "critical infrastructure" that "can be exploited for the purpose of malicious intent," presumably referring to agroterrorism, or threats against agricultural sector.

NMLB noted that protecting identifying information may also encourage "safe" communication with veterinary staff and livestock inspectors early in the onset of disease or an animal health event, when there is the best chance of identifying and containing the disease or health event.

The bill may also protect operators that fear the release of the identifying information may result in government-imposed restrictions and penalties, especially if noncompliant with regulations.

Section 77-3-2 NMSA 1978 requires reporting of livestock affected by or exposed to disease and restricts those animals from being brought into the state, sold, or moved between districts. A person in violation of this section is guilty of a misdemeanor and if convicted can serve jail time.

TECHNICAL ISSUES

Section 1(A)(9) should read "...pursuant to New Mexico Board of Veterinary Medicine regulations" to clarify the authority from which veterinary records are kept confidential.

OTHER SUBSTANTIVE ISSUES

The New Mexico Department of Agriculture explained it works with NMLB when responding to an animal disease outbreak. Information security are key components of preventing, detecting, and eradicating diseases that pose a threat to rural economies, food supply, and public health.